

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)
v.) CASE NO. 1:10-CR-34-8
LARRY HICKEY) COLLIER/CARTER

ORDER

On October 8, 2010, Magistrate Judge William B. Mitchell Carter filed a Report and Recommendation recommending (a) the Court accept Defendant's plea of guilty to the lesser included offense in Count One of the Indictment; (b) the Court adjudicate Defendant guilty of the charges set forth in the lesser included offense in Count One of the Indictment; (c) the written plea agreement be accepted at the time of sentencing; and (d) Defendant remain in custody pending sentencing in this matter (Court File No. 221). Neither party filed an objection within the given fourteen days. After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

(1) Defendant's plea of guilty to the lesser offense in Count One of the Indictment, is

ACCEPTED;

(2) Defendant is hereby **ADJUDGED** guilty of the charges set forth in the lesser offense in Count One of the Indictment;

(3) Defendant **SHALL REMAIN IN CUSTODY** pending sentencing on **Thursday**,

February 10, 2011 at 2:00 pm.

SO ORDERED.

ENTER:

/s/

CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE